

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GREGORY L. WADE,) Case Number: _____
)
Plaintiff,) Judge: _____
)
v.) Magistrate Judge: _____
)
CAVCO INDUSTRIES, INC.,)
)
Defendant.) **JURY DEMAND**

C O M P L A I N T

The plaintiff, **GREGORY L. WADE**, sues the defendant, **CAVCO INDUSTRIES, INC.**, for damages, and says:

PARTIES AND ALLEGATIONS ESTABLISHING VENUE

1. The plaintiff is an individual resident of Sumner County, Tennessee, which is within the Nashville Division of the Middle District of Tennessee.
2. The defendant is a Delaware corporation with its principal office at 3636 North Central Avenue, Suite 1200, Phoenix, Arizona 85012.
3. The defendant is authorized to do, and is doing, business within Tennessee, and is specifically doing business at its Fleetwood Homes plant (hereinafter, "the Fleetwood plant") located at 739 Tennessee Highway 52 West, Lafayette, Tennessee 37083, which is within the Nashville Division of the Middle District of Tennessee.

JURISDICTIONAL STATEMENT

4. This is a civil action against the defendant for violation of Title VII of the Civil Rights

Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* Accordingly, this action presents a federal question over which this court has jurisdiction pursuant to 28 U.S.C. §1331.

This action also is a civil action arising under an Act of Congress regulating commerce, over which this court has jurisdiction pursuant to 28 U.S.C. § 1337.

STATEMENT OF THE CLAIM

5. This is an action for damages against the defendant for race discrimination in employment against the plaintiff by the defendant.
6. At all times pertinent hereto, the defendant engaged in an industry affecting trade, traffic, commerce, transportation, transmission, or communication among the several States, to wit: the manufacture, distribution, and sale of manufactured homes.
7. At all times pertinent hereto, the defendant had fifteen or more employees for each working day in each of twenty or more calendar weeks in the then current calendar year.
8. The plaintiff is an African-American, and was employed by the defendant as a manufacturing worker at the Fleetwood plant at some time between approximately late June 2020 and September 9, 2020.
9. Thereafter, for some time up to and including December 2020 employees and co-workers at Fleetwood engaged in a course of conduct involving frequent and repetitive discriminatory treatment of Mr. Wade because of his race. This treatment included fostering and acting upon a workplace culture that deemed African-American workers to be inferior to caucasian employees, and that included frequent and offensive uses of the word “nigger” in reference to Mr. Wade, both by co-workers and by supervisory personnel at Fleetwood, thereby creating a racially hostile work environment for Mr.

Wade.

10. As an African-American, Mr. Wade is a member of a protected class in the context of racial discrimination.
11. The racial discrimination against Mr. Wade by supervisors and co-workers at the Fleetwood plant was willful and malicious, having been made with full knowledge of its illegality. This discrimination had the effect of unreasonably interfering with Mr. Wade's work performance and creating an objectively intimidating, hostile, and offensive work environment.
12. As a direct, proximate result of the racial discrimination by Fleetwood supervisors and co-workers as related above, Mr. Wade was extremely humiliated, shamed in the presence of coworkers, and subjected to extreme emotional distress.
13. Fleetwood supervisors' and co-workers' racially discriminatory behavior culminated in Mr. Wade's being terminated from his employment because of his race on approximately November 2, 2020. The plaintiff's termination was willful and malicious, having been made with full knowledge of its illegality.
14. As a direct, proximate result of the abusive working environment and of the racially motivated discharge of the plaintiff as alleged above, the plaintiff has suffered and will continue to suffer extreme mental anguish and embarrassment, as well as lost wages and other benefits of employment, past, present, and future.
15. On February 25, 2022, the United States Equal Employment Opportunity Commission mailed a NOTICE OF RIGHT TO SUE to the plaintiff.

PRAYER FOR RELIEF

WHEREFORE the plaintiff prays for entry of judgment against the defendant for

compensatory damages for the extreme mental anguish and embarrassment suffered by the plaintiff, economic damages suffered by the plaintiff to include back pay, front pay, and the value of employment benefits lost, as well as punitive damages for the willful and malicious nature of the plaintiff's discriminatory actions, all in amounts to be determined at trial. The plaintiff further prays for an award of his reasonable attorney's fees and the costs of this action.

Jury Demand

The plaintiff demands trial by jury.

Respectfully submitted,

s/ Robert D. MacPherson
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